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CHARTER AMENDMENTS.

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LAWS

RELATING TO THE

CITY OF DETROIT,

PASSED BY

THE LEGISLATURE OF 1881.

DETROIT:
POST AND TRIBUNE JOB PRINTING COMPANY, PRINTERS, ETC.
1881.

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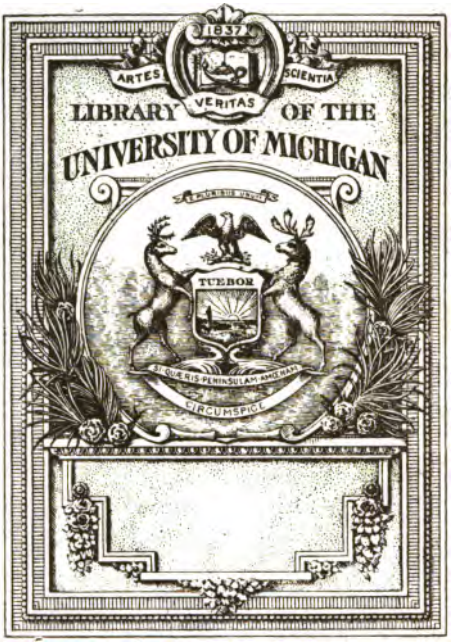

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Michigan. Laws, statutes, etc.

CHARTER AMENDMENTS.

268

LAWS

RELATING TO THE

CITY OF DETROIT,

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CHARTER AMENDMENTS.

AN ACT

To amend chapter one of an act entitled "An act to revise the Charter of the City of Detroit," approved February 5, 1857.

SECTION 1. *The People of the State of Michigan enact,* That chapter one of an act entitled "An act to revise the Charter of the City of Detroit," approved February fifth, eighteen hundred and fifty-seven, be and the same is hereby amended so as to read as follows:

CHAPTER 1.

SECTION 1. The inhabitants of the City of Detroit shall continue to be one body politic and corporate under the name and style of the City of Detroit; and, as such, shall have, exercise and enjoy such powers of a local legislative and administrative character as are conferred by this act, and shall also exercise and enjoy such implied and incidental powers and rights as are possessed by municipal corporations in this State. City of Detroit.

SEC. 2. The powers of local government possessed by said city are divided into two departments; the legislative and administrative. No person or body belonging to one department shall exercise powers properly belonging to the other, except in cases expressly provided in this act. Powers divided.

SEC. 3. The territorial limits of said city shall consist of all that tract of country in the County of Wayne bounded and described as follows: Commencing at the northerly line of Jefferson avenue, where it intersects the easterly line of Mount Elliott avenue, thence northerly on said line, in a straight line, extending to the one-fourth line of fractional section twenty-eight, town one south, range twelve east; thence westerly along Boundaries.

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said one-fourth line to a point where the southerly line of the ten thousand acre tract extended would intersect said one-fourth line; thence westerly along the southerly line of the ten thousand acre tract to the westerly line of Twelfth street; thence southerly along the westerly line of Twelfth street to the northerly line of private claims; thence westerly along the northerly line of private claims to the westerly line of the Porter farm, private claim twenty-one; thence southerly along the westerly line of the Porter farm, extended to the national boundary line in the Detroit river; thence along the said national boundary line to the point where said national boundary line intersects the easterly line of Mount Elliott avenue continued; thence northerly along said easterly line of Mount Elliott avenue to the place of beginning; and also all that parcel of land situated in the Detroit river and known as Belle Isle.

SEC. 4. That said city is hereby divided in the following wards:

1st Ward. *One.*—The First Ward shall consist of all that part of the said city lying between Woodward avenue and Beaubien street, and the line of said street extended on the south to the Detroit river and the north to the city limits.

2d Ward. *Two.*—The Second Ward shall consist of all that part of said city bounded on the east by Woodward avenue, and on the west by First street, from the Detroit river to Grand River avenue, up Grand River avenue to Second street, and along Second street and the line of Second street extended to the city limits.

3d Ward. *Three.*—The Third Ward shall consist of all that part of said city lying between Beaubien street and Hastings street, and the line of said streets extended on the south to the Detroit river, and on the north to the city limits.

4th Ward. *Four.*—The Fourth Ward shall consist of all that part of said city lying between the west boundary line of the Second Ward above described and Crawford street, from the city limits to Grand River avenue, down Grand River avenue to Fifth street, and down Fifth street, and the line of said street extended to the Detroit river, and the lines of said streets

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extended on the south to the Detroit river, and on the north to the city limits.

Five.—The Fifth Ward shall consist of all that part of said city lying between Hastings street and Russell street, and the lines of said streets extended on the south to the Detroit river, and on the north to the city limits. 5th Ward.

Six.—The Sixth Ward shall consist of all that part of said city lying between the west boundary line of the Fourth Ward above described, and Trumbull avenue, and the line of said avenue extended to the city limits and the Detroit river. 6th Ward.

Seven.—The Seventh Ward shall consist of all that part of said city lying between Russell street and Dequindre street, and the lines of said streets extended on the south to the Detroit river, and on the north to the city limits. 7th Ward.

Eight.—The Eighth Ward shall consist of all that part of said city lying between the east line of Godfroy farm (Thirteenth-and-a-half street), and Trumbull avenue, and the line of said avenue extended to the city limits and the Detroit river. 8th Ward.

Nine.—The Ninth Ward shall consist of all that part of said city lying between Dequindre street and Chene street, and the line of said street extended to the city limits. 9th Ward.

Ten.—The Tenth Ward shall consist of all that part of said city lying between the west line of the Loranger farm (Twentieth street), and the east line of the Godfroy farm (Thirteenth-and-a-half street). 10th Ward.

Eleven.—The Eleventh Ward shall consist of all that part of said city lying between Chene street and McDougall avenue, extended on the south to the river, and on the north to the city limits. 11th Ward.

Twelve.—The Twelfth Ward shall consist of all that part of said city lying west of the west line of the Loranger farm (Twentieth street.) 12th Ward.

Thirteen.—The Thirteenth Ward shall consist of all that part of said city lying east of McDougall avenue, extended on the south to the Detroit river, and on the north to the city limits, and the parcel of land situated in the Detroit river and known as Belle Isle. 13th Ward.

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Election districts.

SEC. 5. The Common Council of said city shall, before the first day of September, eighteen hundred and eighty-one, divide each of said wards into at least three election districts. In the month of October, eighteen hundred and eighty-one, there shall

Re-registration

be a general registration of the electors of said city, and thereafter the division of the city into wards and election districts,

Re-districting, how carried into effect.

provided by this act, shall govern. Such re-registration of the voters of said city shall be done in the same manner, and at the same time as it is done in said city under the statutes in this State in Presidential years, and with the same force and effect.

SEC. 6. The Aldermen and other ward officers elected at the November election in eighteen hundred and seventy-nine and in eighteen hundred and eighty, shall hold office until their terms regularly expire under existing laws, but at the charter election held in November, eighteen hundred and eighty-one, an Alderman and other ward officers shall be elected for each of the wards, provided by this act, it being the intention that for the official year eighteen hundred and eighty-two, the Common Council shall consist of the members elected from the existing wards at the November election in eighteen hundred and eighty, and of the members elected from the wards created by this act at the charter election in November, eighteen hundred and eighty-one. The Aldermen who hold over from eighteen hundred and eighty-one to eighteen hundred and eighty-two, may be assigned, by a resolution of the Common Council, to the new wards, and the fact that an Alderman may not reside in the ward to which he may be assigned, shall not create a vacancy, or disqualify him from holding his office, and a like assignment of all the Aldermen shall be made in re-registering the voters and holding the charter election in eighteen hundred and eighty-one.

Assessment of Taxes.

SEC. 7. In making out the Ward Assessment rolls for the year eighteen hundred and eighty-one, the existing wards shall be observed; but for the year eighteen hundred and eighty-two, and thereafter, the wards created by this act shall be observed.

Inconsistent acts repeal'd.

SEC. 8. All acts, or parts of acts, inconsistent with this act, are hereby repealed.

Ordered to take immediate effect.

Approved May 5, 1881.

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AN ACT

To establish an Upper House in the Common Council of the City of Detroit.

Upper House.

SECTION 1. *The People of the State of Michigan enact,* That at the election to be held in the City of Detroit in November, eighteen hundred and eighty-one, a Board of Councilmen of twelve members, who shall be qualified electors, shall be elected on a general ticket by the electors of the City of Detroit, as follows: Three Councilmen shall be elected to serve for one year, from the second Tuesday of January, eighteen hundred and eighty-two; three to serve for two years, three to serve for three years, and three to serve for four years; and annually thereafter three Councilmen shall be elected in the same manner, to serve four years from the second Tuesday of January, next ensuing their election. Councilmen shall qualify in the same manner as the Aldermen of said city, but shall serve without compensation.

Members.

Terms of.

No compensation.

SEC. 2. The first meeting of the Board of Councilmen shall be held on the second Tuesday of January, eighteen hundred and eighty-two; they shall organize in the same manner as the Aldermen are required to organize. The City Clerk and his assistants shall act as clerk of said Board, and shall keep a journal of the proceedings of said Board in the same manner as he is required to keep a record of the proceedings of the Aldermen.

Meeting and organization.

City Clerk to be clerk of.

SEC. 3. The Aldermen, when assembled together, shall continue to be known as the Common Council, and shall possess all the powers and duties now possessed by them, except as the same are modified by the provisions and limitations of this act. The Board of Councilmen hereby established shall be known and described as the City Council.

Boards defined

SEC. 4. After the second Tuesday of January, eighteen hundred and eighty-two, no action or proceeding of the Board

No tax levies or expenditures without approval.

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of Aldermen levying taxes or assessments, or involving the expenditure or payment of money, or liability therefor, and no ordinance shall go into effect or be of any force until it has been considered and approved by the Board of Councilmen hereby created. Ordinances and resolutions, or proceedings of the character named above, may originate in either body, and messages from the Mayor vetoing any ordinance, or any such resolution or proceeding, shall be sent to the body in which the measure originated, and it shall require a two-thirds vote of the members elect of each body to adopt the same, notwithstanding the veto of the Mayor.

Mayor's veto.

Rules and Meetings.

SEC. 5. The Board of Councilmen shall have power to adopt rules to govern their proceedings, and fixing the times of their regular meetings. Special meetings may be called in the same manner as special meetings of the Aldermen are called. The two bodies shall meet together to receive the inaugural and annual messages of the Mayor, and on such other occasions as may be provided by their joint rules.

All nominations to be made to.

SEC. 6. On and after the second Tuesday of January, eighteen hundred and eighty-two, all nominations by the Mayor, or any other officer, or any Board, shall be made to and be confirmed by the Board of Councilmen. All appointments not on the nomination of the Mayor, or other officer, or Board, shall continue to be made by the Board of Aldermen. All annual reports and other communications from city officers, or Boards, and all claims and accounts, shall be sent to the Board of Aldermen, and be by that Board, with its action thereon, transmitted to the Board of Councilmen. Petitions may be presented to either Board.

Annual Reports to Aldermen.

President of to be Acting Mayor.

SEC. 7. After the second Tuesday of January, eighteen hundred and eighty-two, the President of the Board of Councilmen, instead of the President of the Board of Aldermen, shall be the Acting Mayor of the city in the absence or inability of the Mayor to act; and in case the President of the Board of Councilmen, as well as the Mayor, shall also be absent or otherwise unable to perform the duties of the office of Mayor, then the President of the Board of Aldermen shall be Acting Mayor.

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Elections and conduct of business.

SEC. 8. The several provisions of law relating to elections in said city, as to the election of city officers, canvassing the votes and making returns thereof, shall, as far as applicable, apply to and regulate the election of the members of said Board of Councilmen. All provisions of the city charter relating to the organization, the conduct of business, and the powers and duties of the Board of Aldermen, shall, as far as applicable, apply to the Board of Councilmen.

Board of Estimates abolished.

SEC. 9. The Board of Estimates of the City of Detroit is hereby abolished, from and after the second Tuesday of January, eighteen hundred and eighty-two, and all the powers and duties of said Board shall be deemed to be included in the powers and duties hereby vested in the Board of Councilmen.

Ordered to take immediate effect.

Approved April 21, 1881.

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AN ACT

To amend an act entitled "An act to revise the Charter of the City of Detroit, approved February 5, 1857," as amended by the several acts amendatory thereto.

SECTION 1. *The People of the State of Michigan enact*, That section nine, of chapter two, of an act to revise the Charter of the City of Detroit, approved February five, eighteen hundred and fifty-seven, as amended by act number four hundred and seven of the Session Laws of eighteen hundred and seventy-nine, approved May thirty-one, eighteen hundred and seventy-nine, be and the same is hereby amended so as to read as follows:

Common Council qualifications.

SEC. 9. No member of the Common Council shall hold any other city office, excepting as provided by this act, or any other legislative office, or any county office, excepting notary public; and no person shall be a member of said Council unless he is a freeholder in and of the City of Detroit.

SEC. 2. That section twenty-five of chapter four of said act, as amended by act number one hundred and thirty-six of the Session Laws of eighteen hundred and sixty-one, approved March twelve, eighteen hundred and sixty-one, be and the same is hereby amended so as to read as follows:

Dangerous structures and fences.

SEC. 25. Whenever, in the opinion of the Common Council any building, fence, or other structure of any kind, or any part thereof is liable to fall down and endanger persons or property, they may order any owner or occupant of the premises on which such building, fence, or other structure stands to take down the same or any part thereof, within such time as they may direct. In case the order shall not be complied with, they may cause the same to be taken down at the expense of the city, on account of the owner of the premises, and assess the expense on the land on which it stood. The order, if not immediate in its terms, may be served on any occupant of the premises, or be published in the city paper, as the Common Council shall di-

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rect. The Common Council shall also have power to prevent the construction and punish the maintenance of any fence on or along any street or in front of any public place or space that is composed in whole or in part of barbed wire or iron, or so constructed as to be dangerous and liable to injure persons passing in front of the same.

SEC. 3. That sections one to twenty-one, both inclusive, of chapter five of said act, and sections twenty-seven and fifty-one of said chapter and act, as the same have been heretofore amended, be and the same are hereby amended so as to read as follows:

Legislative power.

SEC. 1. The legislative power of the City of Detroit, subject to the provisions of an act entitled "An act to establish an Upper House in the Common Council of the City of Detroit, approved April twenty-first, eighteen hundred and eighty-one, is vested in the Common Council of said city.

Common Council—quorum of.

SEC. 2. The Aldermen of the city shall constitute the Common Council thereof, and a majority of all the Aldermen elected shall be a quorum for the transaction of business, but a smaller number may adjourn from day to day, and upon a call of the Council by any member thereof, if supported by a majority of the members present, whether a quorum or not, the President shall have power to send a Sergeant of Police or any other member of the Police force of the city to bring the absent Aldermen forthwith before said Common Council. The Clerk of the city shall be the Clerk of the Common Council.

President of.

SEC. 3. The Common Council, at its regular meeting on the second Tuesday in January in each year, and after the newly elected Aldermen, or a majority thereof, shall have entered into their offices, shall appoint, by ballot, one of their number President, who shall serve for the period of one year, unless sooner removed by death or otherwise, and shall have the powers and duties prescribed in this act. And the Clerk of said city shall call the first meeting of the holding over and newly elected Aldermen to order, and shall preside over the same, and each of their subsequent meetings, until a President of such Common Council shall be elected, and no other business shall be trans-

Clerk to act when.

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acted by said Council until a President thereof shall have been chosen.

Sessions of.

SEC. 4. The Common Council shall hold one regular session each week and no more, at such times and places as they shall by ordinance or resolution direct, and may adjourn regular sessions from time to time, as may be deemed expedient. In no case, however, shall an adjourned session be deemed for any purpose another regular session.

Special sessions.

SEC. 5. Special meetings of the Common Council may be called at any time by the Mayor, or if one-third of the Aldermen elected shall, in writing, request the President of the Common Council to call a special meeting, stating therein the time and objects thereof, and if he shall refuse or neglect for twenty-four hours to call such meeting, a copy of such request to the President may be filed with the Clerk of the city, with the certificate of an Alderman indorsed thereon, showing the presentation thereof to the President and his refusal or neglect as aforesaid, and thereupon such special meeting shall be held, and the Clerk of the city shall cause notice thereof, and of its time and place, to be served on each of the members of the Common Council personally, or by leaving the same at their usual place of abode, and the proceedings of said meeting shall be limited to the objects thereof as set forth in such request to the President. Special meetings may be adjourned from time to time, as may be deemed necessary, in order to dispose of the business which they are called to consider.

Proceedings to be acted upon by the Mayor.

SEC. 6. Every ordinance, resolution, or proceeding of the Common Council imposing taxes or assessments, or originating the expenditure or disposal of money or property, or whereby the corporation, or any board of officers under this act, may incur any debt or liability, and every ordinance and resolution, except resolutions making appointments to or removal from office, and except ordinances and resolutions for the fixing of salaries and for the payment of debts and liabilities previously and lawfully contracted, shall, before it takes effect, be presented by the clerk to the Mayor; if the Mayor approve thereof he shall thereon write his approval, with the date thereof, and sign the same; and thereupon such ordinance, resolution or pro-

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ceeding shall go into effect; and such as he shall not so approve and sign he shall return to the Common Council with his objections thereto in writing, under cover, sealed and addressed to said Common Council. Veto.

SEC. 7. If the Mayor shall neglect to approve, as aforesaid, any ordinance, resolution, or proceeding, or return the same, as aforesaid, to said Common Council, with his objections, at its next regular meeting after the same shall have been presented to him by the Clerk, as before provided, the same shall go into effect. Proceedings to be effective when.

SEC. 8. Upon the return, as aforesaid, of any ordinance, resolution, or proceeding, the Common Council shall proceed to reconsider the vote by which the same was passed and adopted; and if, after such reconsideration, two-thirds of all the members elected shall agree by ayes and noes, which shall be entered of record, to pass or adopt the same, it shall go into effect. Action upon Veto.

SEC. 9. The Clerk of the city shall, at the time of presenting any ordinance, resolution or proceeding of the Common Council to the Mayor for his approval or disapproval, make a certificate to be endorsed thereon or attached thereto, in which he shall specify the day on which the same was so presented; and such certificate shall be recorded with the proceedings of the Common Council. Duty of Clerk as to proceedings.

SEC. 10. All ordinances, resolutions, and written proceedings of the Common Council shall be deposited in the office of the Clerk of the city, who shall safely keep the same, and they shall be recorded in proper books, to be provided therefor. He shall keep a journal record of the proceedings of the Common Council, and also a record of every ordinance enacted, and of the time of its first publication, which record shall be signed by the Clerk, and by the President of the Common Council. Record of Proceedings.

SEC. 11. Such part of the proceedings of the Common Council as the Council may deem advisable and direct shall be published only in the official daily newspaper, published in said city, in the English language. All ordinances shall be published for three successive days in such official daily newspaper, and shall take effect in ten days after their enactment: *Provided,* Proceedings & Ordinances how published

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however, That the Common Council may fix and prescribe therein a different period, and that no ordinance shall take effect before one publication thereof. And provided further, That the Common Council may direct such portion of such proceedings and ordinances as it may deem proper, to be published in other languages, in a newspaper published in such language in said city, but at a price not exceeding the rates paid the official paper, at an annual expense not exceeding twenty-five hundred dollars for all publications in other languages.

Ordinances, style of and how amended.

SEC. 12. The style of ordinance shall be "It is hereby ordained by the people of the City of Detroit." No ordinance shall be revised, altered, or amended by reference to its title only, but the section or sections of the ordinance altered or amended shall be re-enacted and published at length.

Sessions of the Common Council to be public.

SEC. 13. All meetings of the Common Council shall be public, and its proceedings and records shall be open to public inspection, at reasonable times.

Petitions.

SEC. 14. The inhabitants of said city shall have the right to petition the Common Council.

Common Council.

SEC. 15. The Common Council shall be the judge of the election and qualifications of its own members, and shall have the power to determine contested elections; the compensation of members of the Common Council shall be three dollars to each member for attendance at each regular session of the Council, and no member shall receive or be paid such per diem unless for actual attendance; said Council shall also have power to compel the attendance of absent members, to determine the rule of its proceedings, and to pass and enforce all by-laws and rules necessary and convenient for the transaction of business, and not inconsistent with the provisions of this act.

Powers and compensation.

To have general control of finances and city property.

SEC. 16. The Common Council shall have the general management and control of the finances and all the property, real, personal and mixed, belonging to the corporation, whether lying within or beyond the limits of said city, with full power to lease, sell, convey, transfer and dispose of the same absolutely, and shall have power to make all necessary regulations for

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preserving and protecting the same from destruction, decay or injury, and concerning the management thereof.

Proceedings appropriating money, and ordinances.

SEC. 17. No resolution, ordinance or proceeding of the Common Council, imposing taxes or assessments, or requiring the payment, expenditure or disposal of money or property, or creating a debt or liability therefor, and no other ordinance shall be passed at the same meeting at which it was introduced, unless by unanimous consent, or at a special meeting called therefor, and every such ordinance, resolution or proceeding shall be passed by ayes and nays, to be entered on the record; and, upon the demand of one-fourth of the members present, the yeas and nays shall be taken on any question and entered upon the record.

Unanimous consent.

Ayes and nays.

Vote of Aldermen.

SEC. 18. No Alderman shall vote on any question in which he is interested; on all other questions every Alderman present shall vote, and in all cases of tie vote the question shall be lost.

Majority vote required.

SEC. 19. All appointments to office shall be made by a majority vote of all the Aldermen elected, and removals from office shall be made by the like vote, except in cases where, by this act, a different vote may be required.

Committees.

SEC. 20. The President of the Common Council shall appoint such committees as the Common Council may deem necessary. The duties of standing committees shall be prescribed by general ordinance.

Powers of committees.

SEC. 21. The Chairman of any committee and the members of any Board established by or under this act, may administer oaths and take affidavits in respect to any matter pending before such Committee or Board; such Committees or Board shall have power to subpœna witnesses, to compel their attendance, and the production of necessary papers in all examinations pending before them, and to that end the Common Council may prescribe and regulate the necessary proceedings and confer upon the Police force of said city, or any officer of the corporation, all needful powers for the purposes aforesaid.

Powers of Common Council, street cleaning, paving, etc.

SEC. 27. Said Council shall also have power to provide for cleaning the highways, streets, avenues, lanes, alleys, public grounds and squares, crosswalks and sidewalks in said city,

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of dirt, mud, filth and other substances, and for selling or otherwise disposing of the same, and of all earth to be removed therefrom or from the public squares and grounds of said city in grading, paving or otherwise improving the same; it shall, further, have power to prohibit and prevent encumbering or obstructing of streets, lanes, alleys, crosswalks, sidewalks, and all public grounds and spaces, with vehicles, animals, boxes, signs, barrels, posts, buildings, dirt, stones, brick, and all other materials or things whatsoever, of every kind and nature, and to remove the same therefrom; to prevent the exhibition of signs on canvas, or otherwise, in and upon any vehicle standing or traveling upon the streets and public grounds of said city; to control, prescribe and regulate the mode of constructing and suspending awnings, and the exhibition and suspension of signs therein; to compel, within such limits or along such streets in said city as the Common Council shall prescribe, all owners or occupants of lots, blocks or parcels of land within said limits or along said streets to clear the sidewalks in front of and adjacent thereto of snow, ice, dirt, mud, boxes and every incumbrance or obstruction thereon; and in case of non-resident lands, and of lands belonging to churches, corporations, charitable and other like associations, and of lands in the hands or control of executors, administrators, guardians, assignees, trustees or agents, and in all other cases where such snow, ice, dirt, mud, boxes, incumbrances or obstruction is or are not removed within the time required and prescribed by ordinance, the Common Council shall have full power to cause the removal of the same, and to cause the expense of such removal to be assessed, levied and collected from the abutting property in the same manner as assessments are made, levied and collected for the repair and construction of sidewalks; and any assessment so made shall become a lien upon the property assessed at the time when the same is due and payable; also to control, prescribe and regulate the manner in which the highways, streets, avenues, lanes, alleys, public grounds and spaces within said city shall be used and enjoyed; also to provide for sprinkling the streets and public places in said city, or any portion thereof, not less than one block, upon the petition of a majority of the persons own-

Obstructions.

Signs and awnings.

Snow, ice, etc.

How removal enforced.

Assessments for.

Use of streets.

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ing or occupying the lots and parcels of land abutting the same, and to assess and collect the expense of such sprinkling upon and from such lots and parcels of land in the same manner as assessments are made and collected for paving streets in said city; also to prohibit and prevent the location or construction of any wooden or frame house, store, shop, or other building, on such streets, alleys and places, or within such limits in said city as the Common Council may from time to time prescribe; to prohibit and prevent the removing of wooden or frame buildings from any part of said city to any lots on such streets, alleys and places or within said limits, and the rebuilding and repairing of the same; to direct and regulate the planting and provide for the preservation of ornamental trees on said highways, or said avenues, streets and public places; to provide for and regulate the lighting of the same, and the erection of lamps and lamp-posts therein; to prohibit and prevent racing, or fast and dangerous driving and riding therein; to prohibit and prevent the flying of kites, and all practices, amusements and doings therein having a tendency to frighten teams and horses, or dangerous to life or property; to remove or cause to be removed all walls and other structures that may be liable to fall therein, or otherwise, so as to endanger life or property; to compel and regulate the inspection of all steam boilers used in said city for operating machinery or for heating purposes, and to require and compel all engineers and persons in charge of, operating or using steam boilers for any of the purposes above named, to be licensed and to give security for faithful performance of duty in such sum as the said Council shall prescribe; to compel persons to fasten or secure their horses, oxen, or other animals attached to vehicles, or otherwise, while standing or remaining in the streets, lanes or alleys of said city; to prevent persons from driving in vehicles, or otherwise, upon or across the sidewalks thereof; and said Council shall also have power to license and regulate by ordinance the keeping and maintenance of intelligence offices, and to require the persons in charge of and conducting such offices to furnish a good and satisfactory bond for the due observance of the charter and ordinances of said city.

Street sprinkling.

Fire limits.

Removal and repair of buildings.

Planting trees.

Public lamps.

Fast driving.

Kite flying, etc.

Dangerous walls.

Inspection of steam boilers.

Animals to be tied.

Sidewalks.

Intelligence offices.

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Sidewalks.

Mode of construction and repair.

Materials and width of.

Expense of, how paid.

SEC. 51. The Common Council shall have power to provide and ordain by ordinance that, whenever any sidewalk requires to be built or repaired, the said Council may direct the Board of Public Works to notify the owner, agent or occupant of any lot or parcel of land in front of or adjacent to which such walk is required to be built or repaired, to build or repair the same, and that if such agent, owner or occupant shall neglect, for a time to be specified in the ordinance, to do such building or repairing, it shall be the duty of the said Board to at once do or cause the same to be done, and in such case the expense thereof shall be assessed upon such lot or parcel of land, and shall be a lien thereon until collected and paid in a manner to be prescribed in such ordinance; and the owner, agent or occupant so neglecting to build or repair shall be liable to the city for all damages which shall be recovered against the city for any accident or injuries occurring by reason of such neglect, and also to prosecution in the Recorder's Court, and, on conviction, to be fined not to exceed five hundred dollars and the penalties in the city charter elsewhere provided. The Common Council shall also have power, by ordinance, to designate and determine the materials of which all sidewalks in the city shall be constructed, and to regulate their width and manner of construction. To effect the purpose of this section and secure the prompt construction or repair of sidewalks when ordered, and in anticipation of the collection of the expense thereof, to be assessed and collected as aforesaid, the Common Council shall have power to cause such expense to be paid in any case by warrant of the Controller upon the contingent fund. All assessments in such cases paid after the expense of such construction or repair has been met, as above provided, by the city, shall be paid and credited to the contingent fund of the city.

SEC. 4. That section twelve of chapter eight of said act, and section thirty-eight of said chapter and act, as amended by act number two hundred and seventy of the Session Laws of eighteen hundred and seventy-three, approved April thirtieth, eighteen hundred and seventy-three, be and the same are hereby amended so as to read as follows:

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Contracts involving over $200 to be let to the lowest bidder.

SEC. 12. No contract for the purchase of any real estate, or for the construction of any public building, sewer, paving, graveling, planking, macadamizing, or for the construction of any public work whatever, or for any work to be done, or for purchasing or furnishing any material, printing, or supplies for said corporation, if the purchase of said real estate, or the expense of such construction, repairs, work, printing, materials or supplies, shall exceed two hundred dollars, shall be let or entered into except to and with the lowest responsible bidder, with adequate security: *Provided*, That in case of repairing paved streets, building and repairing crosswalks, culverts and intersections, sidewalks, the Common Council may cause the same to be done by the Board of Public Works when so deemed advisable and ordered by a two-thirds vote of all the Aldermen elect. And as to such work or material requiring mechanical skill, to and with practical mechanics, and as to such other work, supplies or materials, not requiring mechanical skill, to and with such persons as shall be deemed competent for the performance of any such contract, and not until a notice calling for bids shall have been duly published in at least one daily paper published in said city, and for such period as the Common Council shall prescribe. And no bids shall be accepted from, or contract awarded to, any person who is in arrears to the corporation upon debt or contract, or who is a defaulter as security, or otherwise, upon any obligation to the corporation, or who shall be in other respects disqualified according to the provisions of this act.

Requirements as to contracts generally.

Paving and grading.

SEC. 38. Whenever the Common Council shall order any street, or any portion thereof, to be graded, or graded and paved, or re-paved, it may enter into contract for the making of such improvement, according to the provisions of this charter, and after the cost and expense thereof has been ascertained, it shall cause the same, except the cost of crosswalks and of the work at the intersection of cross streets, to be assessed upon the lots and real estate herein made subject to such assessment as hereinafter provided. In case of every contract for paving, the work to be performed thereunder shall be commenced and completed between the first day of May and the first day of November in each year.

Assessment for.

Commencem't and completion of.

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Repeal of bond provisions.

SEC. 5. That sections forty-six, forty-seven, forty-eight and forty-nine of chapter eight of said act, as amended by act number two hundred and eighty-two of the Session Laws of eighteen hundred and seventy-one, be and the same are hereby repealed: *Provided*, however, That this act shall not invalidate or affect any assessments which may have heretofore been made under existing laws, and that all such assessments made under said sections shall be collected and applied towards the payment of the bonds issued, and any deficiency that may arise shall be paid out of the contingent fund of said city.

SEC. 6. That section eight of chapter eight of said act, as amended by act number two hundred and eighty-two of the Session Laws of eighteen hundred and seventy-one, be and the same is hereby amended so as to read as follows:

SEC. 8. The proceeds of each special assessment levied for the grading or paving of any street or alley shall become part of the street paving fund, and be credited therein to the account of the specific improvement for which assessment was made: *Provided*, That the Common Council shall not in any one year enter into contracts for the grading and paving of streets, alleys and public places, the cost of which will exceed in the aggregate seventy-five thousand dollars, except upon the petition of the holders of the larger portion of the real estate directly abutting upon the portions of the street or alley proposed to be improved.

Amount not to exceed $75,000 without petition, etc.

This act is ordered to take immediate effect.

Approved June 6, 1881.

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AN ACT

To amend section two of chapter two, as amended by act number four hundred and seven of the laws of eighteen hundred and seventy-nine, of an act entitled "An act to revise the Charter of the City of Detroit," approved February fifth, eighteen hundred and fifty-seven.

SECTION 1. *The People of the State of Michigan enact,* That section two of chapter two, as amended by act number four hundred and seven of the laws of eighteen hundred and seventy-nine, of an act entitled "An act to revise the Charter of the City of Detroit," approved February fifth, eighteen hundred and fifty-seven, be and the same is hereby amended so as to read as follows:

SEC. 2. The following officers shall be appointed by the Common Council at a meeting to be held on the second Tuesday in June of each year, viz: One or more Physicians, one or more Clerks of the Market, one or more Weighmasters, one or more Poundmasters, a Gas Inspector, a Clerk of the Police Court, who shall be appointed on the recommendation of the Police Justice; and a City Engineer, on the nomination of the Board of Public Works, whose term of office, duties, and compensation shall be prescribed by the Common Council; and such other officers, deputies, assistant officers, and agents as may be necessary, and whose appointment shall be authorized by prior resolution of the Common Council. A Controller shall be appointed on the nomination of the Mayor, on the third Tuesday of June preceding the expiration of his term of office; and also, on the nomination of the Mayor, a Receiver of Taxes, whose term of office shall be two years; and a Counselor, who shall be a practicing attorney, and whose term of office, duties, and compensation shall be prescribed by the Common Council: *Provided,* That any appointment which shall not be made on the

Officers to be appointed by the Common Council.

Nominations of by the Mayor

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day named may be made at any subsequent regular session of the Common Council. *And provided further*, That any office created by ordinance or resolution of the Common Council, may be filled at any time until the second Tuesday of June following, when, as in case of other officers, the regular term of service shall commence, and the office, if continued, be filled for the ensuing year, unless otherwise provided by the ordinance or resolution creating such office.

Ordered to take immediate effect.

Approved May 31, 1881.

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AN ACT

To amend an act entitled "An act to amend the laws relative to supplying the City of Detroit with pure and wholesome water," approved February 14, 1853, as amended by the several acts amendatory thereof, by adding a new section thereto to stand as Section 31. Water Board.

SECTION 1. *The People of the State of Michigan enact*, That an act entitled "An act to amend the laws relative to supplying the City of Detroit with pure and wholesome water," approved February fourteenth, eighteen hundred and fifty-three, as amended by the several acts amendatory thereof, be and the same is hereby further amended by adding the following section thereto to stand as Section thirty-one:

SEC. 31. On and after the second Tuesday of January, eighteen hundred and eighty-two, the members of the said Board of Water Commissioners shall be appointed by the City Council of the City of Detroit, on the nomination of the Mayor of said City, and vacancies shall be filled in the same manner. To be nominated by the Mayor.

Ordered to take immediate effect.

Approved June 7th, 1881.

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AN ACT

To amend Sections 5, 9 and 22 of act No. 479, Session Laws of 1871, entitled "an Act to establish a Police government for the City of Detroit," approved April 17, 1871.

Metropolitan Police.

SECTION 1. *The People of the State of Michigan enact,* That sections five, nine and twenty-two of act number four hundred and seventy-nine, Session Laws of eighteen hundred and seventy-one, entitled "An act to establish a Police government in the City of Detroit," approved April seventeen, eighteen hundred and seventy-one, be so amended as to read as follows:

Powers to appoint and dismiss officers.

SEC. 3. The said Board of Metropolitan Police shall have power to appoint a Superintendent of the Police force, a Captain of Police, one or more officers to be called and act as Detectives, one Captain in addition to each thirty Patrolmen called into service more than the first thirty, four Sergeants of Police to each fifty Patrolmen, an Attorney, Surgeon, one or more Roundsmen, Doormen, Janitors, and fifty or more Patrolmen, who shall receive compensation, and as many Patrolmen, with or without compensation, in time of special emergency, or apprehended danger from riot, or other cause of alarm, as they shall deem expedient. Said Board shall also have power, for cause assigned on a public hearing, and on due notice, according to rules to be promulgated by them, to remove, or suspend from office, or for a definite time deprive of pay, any member of such Police force (except that Detectives, the Attorney and Surgeon may be dismissed at any time by said Board); to make rules and regulations for the discipline and government of said force, and shall cause the same to be published, and to make and promulgate general and special orders to said force, through the Superintendent of Police, who shall be the executive head of the force.

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SEC. 9. The qualification, enumeration, and distribution of duties, and mode of trial, and removal from office of each officer and member of said Police force, shall be particularly defined and prescribed by rules and regulations of the Board of Police, and no person shall be appointed to or hold office in the Police force, who is not a citizen of the City of Detroit, shall not have resided in said city two years next preceding his appointment, who cannot read and write the English language, and who has ever been convicted of any crime. *And Provided*, That no person (except the Surgeon, Attorney, Detectives, Secretary, and property Clerk,) shall be removed from said force, except upon written charges preferred against him to the Board of Police, and after opportunity of being heard in his defense; but the Board of Police may suspend any member of the force, pending the hearing of the charges against him; and the Board of Police may at any time, in their discretion, and without charges, or trial, reduce any officer from his rank, and grade, and pay, to a lower rank and pay, and either permanently or temporarily promote any other officer to his position, without regard to the relative rank or grade of such other officer.

Qualifications of officers.

Removals and suspensions.

And Provided, Whenever any vacancy occurs in the office of Captain of Police, the same shall be filled from among the persons then in office as Sergeants, Roundsmen, or Patrolmen. The Police Commissioners shall receive no compensation whatever for their services during their term of office. The Superintendent of Police shall receive a salary not exceeding two thousand dollars per annum. Each Captain shall have a salary not exceeding twelve hundred dollars per annum, and each Sergeant a salary not exceeding one thousand dollars per annum, and each Patrolman a salary not to exceed nine hundred dollars per annum. All salaries shall be prescribed by the Board of Police, and shall be paid monthly to the persons entitled thereto. The compensation to be paid to all other officers, appointees and employes of the force, shall be determined by the said Board. No member of the Board of Police, or of the Police force, shall receive or share in, under any pretences whatever, any present, fee, gift or emolument for Police services, other than the regular salary and pay provided by this section, except

Promotions.

Compensation.

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by the unanimous consent of said Board; and it shall be the duty of every member of said Board, or the Police force to return to the property Clerk (to be disposed of as hereinafter prescribed,) every present, fee, gift or emolument received by him, with the consent of the Board, except said Board permits him to retain the same for his own use; and all moneys, and proceeds of all property received from this source, shall be disposed of by said Board as if the same had been paid or given for extra or ordinary services, as prescribed in the eleventh section of this act. Nor shall any member of said force receive or share in any fee, gift, or reward from any person who may become bail for the appearance of any arrested, accused, or convicted person, or who may become surety for any such person on appeal from the judgment or decision of any court or magistrate, or any fee, gift or reward, in any case, from any attorney at law who may prosecute or defend any person arrested or prosecuted for any offense within the County of Wayne; nor shall any member, directly or indirectly, interest himself or interfere, in any manner whatever, in the employment or retainer of any attorney, to aid in the defense of persons arrested or accused; and for any violation of either of the foregoing provisions, the member so offending shall be immediately removed from office.

To take no presents excepting, etc.

Not to be interested in bail or attorney.

Penalty.

Annual estimates.

SEC. 22. It shall be the duty of the Board of Police to prepare and submit to the Controller, on or before the fifteenth day of February in every year, an estimate of the whole cost and expense of providing for and maintaining the Police department of said city within the current fiscal year, which estimate shall be in detail, and shall be laid by the Controller before the Common Council with his annual estimate, and the same shall be by the Common Council of said city provided for in the general tax assessment, by levy to be laid on said city; and the same shall not require or be conditioned upon the vote of the freemen of the city, said money shall be paid by the officer collecting the same into the hands of the Treasurer of the Board of Metropolitan Police, once a week or oftener. The money so collected shall constitute and be styled "The Metropolitan Police Fund." The said Board of Police shall appoint a

Police Fund.

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Treasurer, who shall be the custodian of the money of said fund, and deposit the same in such place, and in no other, as he shall be directed by said Board. He shall give security to said Board that he will keep said money in said place and no other; that he will pay the same upon the order of said Board, and in all respects account for the disposition of the same; and that he will perform faithfully the duties of Treasurer. Said Treasurer shall be appointed to serve during the discretion of the Board. Treasurer.

Ordered to take immediate effect.

Approved May 6, 1881.

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AN ACT

Free Schools.

To amend sections two, three and eleven of an act entitled "An act relative to Free Schools in the city of Detroit," approved February 24, 1869, and amended March 27, 1873, and to add a new section thereto, to be known as Section 23.

SECTION 1. *The People of the State of Michigan enact*, That sections two and three of an act entitled "An act relative to Free Schools in the city of Detroit," approved February 24, 1869, and amended March 27, 1873, be amended so as to read as follows:

Board of.

SEC. 2. The Board of Education of the city of Detroit shall consist of twelve School Inspectors, to be elected from the city

To be elected at large.

at large, at the spring election, held every alternate year, when Judges of the Supreme Court are now required by law to be elected. At the spring election of the year 1881, twelve Inspectors shall be so elected, of whom six shall hold office for two years, six for four years, by allotment as herein provided. At each subsequent election six Inspectors shall be elected, to hold office for four years. The votes to be cast for such Inspectors shall be deposited in separate ballot boxes from those used for other than city officers, and the election shall be held and the votes canvassed in the manner provided by law for city elections. When the votes are canvassed by the Board of City Canvassers at the first election in 1881, and the names of the members elect ascertained, the Board of Canvassers shall at once prepare twelve slips of paper of uniform size and appearance, and write the names of the said twelve Inspectors, one on each slip, and fold the same so that they cannot be read, and place them in a box, and cause them to be shaken up, and publicly drawn out, one by one, by some member or members of the Board; and the first six persons whose

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names are thus drawn shall hold office for two years, and the remainder for four years, and such allotment shall be certified by the canvassers as a part of their proceedings. The term of office of such Inspectors shall begin on the first day of July succeeding their election, and the Inspectors now in office shall cease to hold office, and their powers shall be vested in the new Board aforesaid on the first day of July, in the year one thousand eight hundred and eighty-one. Terms of.

SEC. 3. In case of any vacancy or vacancies in the office of School Inspector existing on or after the first day of July, one thousand eight hundred and eighty-one, by death, resignation, refusal to accept office, failure to elect, or otherwise, the Mayor may nominate and the Common Council may confirm the nomination of suitable persons to fill such vacancy or vacancies, and the persons thus appointed shall hold office until the first day of July succeeding the next regular election for Inspectors, at which election, in addition to the Inspectors elected for a full term, persons shall be elected to fill any such vacancies for the remainder of the vacant term beyond the first day of July thereafter. Vacancies how filled.

SEC. 11. The Board of Education shall establish and maintain a district Library: *Provided*, That the said Board of Education may, in its discretion, elect a Board of Commissioners of the Public Library of Detroit, to which it may transfer the care and custody of the funds and property of such district Library. Such Board of Commissioners shall not be members of the Board of Education, except in the cases hereinafter mentioned, and when elected shall be clothed with all the powers for the management and control of the Library, now vested in the Board of Education, and shall consist of six members, who shall be elected by the Board, and shall hold their offices for six years, except that the members of the first Board shall be chosen for the terms of one, two, three, four, five and six years respectively. Of this Board of Commissioners the President of the Board of Education shall be a member ex-officio, and it shall make annual reports to the Board of Education of the condition of the Library and its funds. One member of such Board of Commissioners shall be elected annually in place of the member whose office Library Commission. Powers and duties. Term of.

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Vacancies how filled.

expires in that year, and vacancies from any cause may be filled at any time by the election by the Board of Education of a person or persons to fill such vacancy. Such Board shall be known as the "Detroit Library Commission," and may in that name exercise control over the Library and all funds and property connected with or belonging to it. A special Library tax of one-fifth of one mill on the dollar on property assessed for city purposes shall be levied each year with the other city taxes and paid over to said Commission. The treasurer of the Board of Education shall be ex-officio treasurer of said Commission, and hold moneys belonging to the Library fund or to said Commission, subject to their disposal. Such Commission may appoint, remove, or otherwise control, all persons employed in such library, and fix their compensation from time to time, in their discretion, and may appoint such officers as they see fit for their own business.

Tax for library purposes.

Treasurer of.

Not to receive compensation or be interested in any contract.

SEC. 23. No Inspector shall receive any compensation during his term of office, either as Inspector or for services rendered to the Board in any other capacity or manner; and no Inspector shall be interested directly or indirectly in any contract made by said Board on its account.

This act is ordered to take immediate effect.

Approved March 11, 1881.

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AN ACT

To amend sections two, three and five of chapter two hundred sixty-nine of the Compiled Laws of eighteen hundred and seventy-one, being Compiler's sections eight thousand one hundred forty-six, eight thousand one hundred forty-seven, and eight thousand one hundred forty-nine, relative to the Detroit House of Correction. House of Correction.

SECTION 1. *The People of the State of Michigan enact,* That sections two, three and five, of chapter two hundred sixty-nine of the Compiled Laws of eighteen hundred and seventy-one, being Compiler's sections eight thousand one hundred forty-six, eight thousand one hundred forty-seven and eight thousand one hundred forty-nine, relative to the Detroit House of Correction, be and the same are hereby amended so as to read as follows:

(8146) SEC. 2. The management and direction of the said House of Correction, subject to periodical inspection by the State authorities in their discretion, shall be under the control and authority of a Board of Inspectors, to be appointed for that purpose by the Common Council of the city of Detroit, upon the nomination of the Mayor. Said Board of Inspectors shall consist of four members. The first four shall be appointed as follows: One member for one year, one for two years, one for three years, and one for four years. And annually thereafter one member shall be appointed for the full term of four years. And the official terms of the members of said Board shall commence on the first day of July. Vacancies shall be filled in the same manner as the original appointments are made. Four Inspectors. To be nominated by the Mayor. Term of. Vacancies.

(8147.) SEC. 3. The said appointed members of the Board of Inspectors are hereby authorized and empowered to establish

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To adopt rules and appoint Superintendent.

and adopt rules for the regulation and discipline of said House of Correction, to appoint a Superintendent thereof, whose term of office shall be three years, with a salary to be fixed by said Board, which shall not exceed the sum of three thousand dollars per annum, and the appointment to be made at least three months before the expiration of the term then pending; and upon the nomination of said Superintendent, to appoint the subordinate officers, guards, and employes thereof, to fix their compensation and prescribe their duties generally, not otherwise prescribed by law, and to make all by-laws and ordinances in relation to the management and government thereof, as they shall deem expedient. But no appropriation of money shall be made by said Board of Inspectors for any other purpose than the ordinary and necessary expenses and repairs of said institution, except with the sanction of the Common Council by a vote of a majority of all the Aldermen elect in said city, at some regular meeting subsequent to the meeting in which such appropriation shall have been presented to said Common Council.

To appoint officers, etc., on nomination of Supt., and to fix their duties and compensation.

Moneys how appropriated.

Records how kept.

(8149.) SEC. 5. The books of said House of Correction shall be so kept as to clearly exhibit the state of the prisoners, the number received and discharged, and the receipts from and expenditures for and on account of each department of business, or for repair, or improvement of the premises. A quarterly statement shall be made out, which shall specify minutely all receipts and expenditures; proper vouchers for each expenditure shall accompany each statement, and the same be approved by the Inspectors, and returned to the Controller of said city for safe keeping. The accounts of said House of Correction shall be annually closed and balanced on the 31st day of December of each year, and the annual report submitted as soon thereafter as practicable, the first report to be made in (1882) eighteen hundred and eighty-two, giving a full account of the operations of the preceding year, and the same submitted to the Board of Inspectors, and with their report to the Common Council, a copy of which shall be transmitted to each department of the State government and to each county in the State having contracts with said city, for the confinement and main-

Quarterly statement.

Accounts when to be closed.

Annual Reports when made and to whom to be sent.

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tenance of convicted persons. And such report shall be published in some newspaper in the city or in such other form as shall be directed by said Board of Inspectors. To be published.

SEC. 6. All provisions of law relative to the appointment or term of office of all officers of said House of Correction not contained herein are hereby repealed. Repealing clause

Ordered to take immediate effect.

Approved June 2, 1881.

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AN ACT

Board of Health

To provide for the establishment of a Board of Health for the City of Detroit.

SECTION 1. *The People of the State of Michigan enact,* That there shall be appointed by the Common Council of the City of Detroit, on the nomination of the Mayor, on the third Tuesday of June, 1881, three persons, electors and practicing Physicians of said city, who shall be and constitute, together with the Mayor, Controller and President of the Metropolitan Police Commissioners of said city, a Board of officers of said city, to be known and designated as the "Detroit Board of Health." The Mayor, the Controller and the President of the Metropolitan Police Commissioners shall be ex-officio members of the said Board of Health. The three Physicians first appointed shall hold their offices for the terms of one, two and three years, respectively, from July first, eighteen hundred and eighty-one, and annually, after the year eighteen hundred and eighty-one, on the third Tuesday of June a member of said Board, with like qualifications, shall be appointed, on the nomination of the Mayor, for the term of three years. Vacancies in said Board shall be filled in the same manner that appointments are made as herein provided for. The Board of Health thus constituted for the purposes of organization and management of its department, shall have all the authority of other Boards in said city and ordinarily pertaining to such bodies, and also to appoint a Secretary as an executive officer, who shall be known as the Health Officer of said city. The Health Officer shall be selected with special reference to his knowledge of chemistry, hygiene and sanitary matters, and shall devote his whole time to the sanitary condition of the city and other duties as prescribed or required by said Board. Said Health Officer may be removed from office by the Board of Health, two-thirds of the members thereof voting for such removal.

Members of.

Terms of.

Vacancies.

Powers and duties.

To appoint Secretary and Health Officer

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SEC. 2. The members of the said Board of Health shall serve without compensation, but the Health Officer shall receive an annual salary not exceeding ($3,000) three thousand dollars, as may be determined by the Common Council of said city. No compensation. Health Officer not over $3000

SEC. 3. The said Board, on or before the first day of March of each year, shall report to the Controller, to be by him transmitted as other estimates to the Common Council, an estimate of the amount of money necessary to defray the expenses of said Board in preserving the health of said city during the ensuing fiscal year. The Common Council shall have the power to raise by taxation the amount so estimated, or any such part thereof as may be approved each year, in the same manner as other general taxes are levied and collected. The Common Council shall also have full power to pass and enforce all needful ordinances for the regulation of the sanitary condition and preservation of the said city. To report estimates. Council to raise money for and pass ordinances.

SEC. 4. The City Physicians of said city shall be appointed by the Common Council, on the nomination of the said Board of Health, on the third Tuesday of June, after the year eighteen hundred and eighty-one, and shall in all matters of public health and sanitation, co-operate with and be subject to said Board of Health. To nominate City Physicians.

SEC. 5. On the first day of July in each year, and at other times when required by the Common Council, the said Board shall present to the said Council a report of their operations during the year, with such information and recommendations as may be deemed important and necessary. Reports.

SEC. 6. From and after the second Tuesday of January, eighteen hundred and eighty-two, all power herein delegated to the Common Council, relative to the confirmation of members of said Board, shall be exercised by the City Council of said city. City Physicians to be confirmed by City Council.

Ordered to take immediate effect.

Approved May 26, 1881.

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AN ACT

Poor Commission.

Relative to the Poor Commission of the City of Detroit.

To appoint Secretary, Superintendent, etc.

SECTION 1. *The People of the State of Michigan enact,* That the Board of Poor Commissioners of the city of Detroit shall have the power to appoint the Secretary, the Superintendent of the Poor, and all other officers, agents and employes of the Board, without sending the names to the Common Council for confirmation, and the Board may at its pleasure remove the Secretary, Superintendent, and such other officers, agents, or employes.

This act is ordered to take immediate effect.

Approved May 20, 1881.

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AN ACT

To provide for the punishment of disorderly persons in the City of Detroit, and also to provide for the support of their wives and children. Disorderly persons.

SECTION 1. *The People of the State of Michigan enact,* That all persons, residents of the City of Detroit, who refuse or neglect to support their families, shall be deemed disorderly persons and guilty of a misdemeanor: *Provided,* That if upon the examination it shall appear to the satisfaction of the Police Justice that the defendant's neglect to support his said family was occasioned by sickness or other physical or mental disability, or for other good cause, the same shall constitute a good defense to said charge. Who are. When not liable

SEC. 2. Upon complaint made on oath to the Police Justice of the City of Detroit, against any person charged with the foregoing offence, and committed within the limits of said city, he shall examine the complainant on oath and the witnesses produced by him or her, and shall reduce the complaint to writing and cause the same to be subscribed by said complainant. And if it shall appear that such offence has been committed, he shall issue his warrant reciting the substance of the complaint, and requiring such person so charged to be brought before him to be dealt with according to law, of which notice in writing shall be given to the Secretary of the Board of Poor Commissioners, and in accordance with the provisions of "An act to establish a Police Court in the City of Detroit," approved April two, eighteen hundred and fifty, and the amendments thereto, except as is provided for in the following section: Police Justice to examine. To issue warrant. To notify Poor Commissioners.

SEC. 3. On conviction for such offence, such person shall be imprisoned in the Detroit House of Correction for the period of not more than ninety days. Penalty.

SEC. 4. The said Police Justice, on application therefor, shall give to the wife or children of such person so con-

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Police Justice to give certificate to Poor Commissioners.

victed, if he shall be satisfied that they are liable to become a burden on the public, a certificate, duly certified, of such conviction and setting forth the cause thereof and the term of imprisonment, which, on being presented to the Commissioners of the Poor for the City of Detroit, shall be evidence of the facts therein stated, whereupon the following allowances, in money, or in kind, shall be made by said Commissioners out of the poor fund provided for the support of the dependent poor of said city, during the term of imprisonment of such person so convicted, to wit: If there be a wife and child or children, the sum of thirty cents per day; if there be a wife, but no children, the sum of twenty cents per day, and which said sums shall be paid at the end of each week by said Commissioners to the above described persons.

Relief of dependent's family.

SEC. 5. This act shall apply only to the City of Detroit. All acts inconsistent herewith are hereby repealed.

Ordered to take immediate effect.

Approved June 2, 1881.

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AN ACT

To amend sections five and eleven, as amended, of an act entitled "An act to provide for a Municipal Court in the City of Detroit, to be called 'The Superior Court of Detroit,'" approved March 28, eighteen hundred and seventy-three. Superior Court.

SECTION 1. *The People of the State of Michigan enact,* That section five as amended by act number ninety-seven of the laws of eighteen hundred and seventy-nine, of an act entitled "An act to provide for a Municipal Court in the City of Detroit, to be called 'The Superior Court of Detroit,'" approved March twenty-eight, eighteen hundred and seventy-three, be and the same is hereby amended so as to read as follows:

SEC. 5. In case of the absence from the city of the Judge of said Court, inability to attend, incapacity to try any cause pending in said Court, or a vacancy in his office, the Recorder of said city shall act as Judge of said court, and as such Judge shall have and exercise all the powers and duties of the Judge of said Court until he shall resume his office or such vacancy be filled. The Judge of said Superior Court may act as Judge of the Recorder's Court whenever requested so to do by the Recorder, or in the absence, sickness or incapacity of said Recorder, or when there is a vacancy in the office of Recorder. The Judges of said Courts may also from time to time act for each other or exchange Courts at their pleasure. The Common Council of said city shall cause an election to be held in said city to fill any vacancy in the office of Judge of the Superior Court, the same as provided by the charter of said city in case of a vacancy in the office of Mayor thereof. And whenever said Judge shall tender his resignation to the Common Council, to take effect at some future day, and the same shall have been accepted, said Common Council may cause an election to fill

Who to act in place of.

Judge of to act as Recorder.

Elections to fill vacancy.

Resignation of.

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Notice of election.

the expected vacancy, which may be held between the time of said acceptance of said resignation and the day when it is to take effect: *Provided*, That not less than ten day's notice of such election shall be given; or such expected vacancy may be filled at any regular election occurring within thirty days after such acceptance of resignation, if said Common Council so orders; and such Judge elect shall assume the duties of the office at the time said resignation takes effect, or as soon thereafter as he is elected and qualified.

SEC. 2. That section eleven of said act, as amended by act number seven of the laws of eighteen hundred and seventy-five, be and the same is hereby amended so as to read as follows:

Court fees.

SEC. 11. In all suits and proceedings in said Court there shall be paid to the Clerk the same fees as are required by law to be paid to the County Clerk in like suits or proceedings in the Circuit Court for the county of Wayne, and with the same force and effect. The fees so collected shall be paid by the Clerk to the City Treasurer, for the use of said city, at the same times and in the same manner as the County Clerk is required to pay them into the county treasury. Such moneys shall be placed by the City Treasurer to the credit of the fund out of which the expenses of said Court are paid.

Fees to be paid to City Treasurer.

This act is ordered to take immediate effect.

Approved May 5, 1881.

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AN ACT

To amend section 28 of chapter 6 of the Charter of the City of Detroit, relative to the Recorder's Court of that city.

SECTION 1. *The People of the State of Michigan enact,* That section twenty-eight, as amended, of chapter six of the Charter of the City of Detroit, be and the same is hereby amended so as to read as follows:

SEC. 28. The Recorder shall receive from the treasury of the State of Michigan the same annual salary as may be payable to Circuit Judges, and payable quarterly. He shall also receive from the treasury of the City of Detroit such additional salary as shall be sufficient, with the sum so received from the State, to make the salary of said Judge four thousand dollars. Salary of Recorder.

This act is ordered to take immediate effect.

Approved June 11, 1881.

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AN ACT

Jurors.

Relative to Jurors of Courts of Record in the city of Detroit and the County of Wayne.

Commissioners

SECTION 1. *The People of the State of Michigan enact,* That in the County of Wayne there shall be a "Board of Jury Commissioners," consisting of six qualified electors and freeholders of said county, three of whom shall reside in the city of Detroit, and three in the townships of said county. Said Appointment. Commissioners shall be appointed by the State senate on the nomination of the Governor. At the legislative session of eighteen hundred and eighty-one two Commissioners shall be appointed, to hold office for two years, two for four years, and two for six years; and at each subsequent regular legislative session two Commissioners shall be appointed to hold office for Vacancies. six years. Vacancies that occur when the legislature is not in Terms and qualifications. session may be filled by the Governor. The official terms of said Commissioners shall commence on the first Monday of April, and before entering upon the discharge of their duties they shall each take and subscribe the oath of office prescribed by the Constitution of the State, and file the same in the office of the County Clerk. They shall elect one of their number President, and shall appoint a Secretary, who shall keep a journal Secretary to. and record of their proceedings. The Commissioners shall receive no compensation for their services, but the Secretary shall be paid such compensation as the Board of Auditors of said county may allow.

Meetings.

SEC. 2. Said Commissioners, or a majority of them, shall meet at the office of the County Treasurer on the third Monday in May in each year, at 12 o'clock noon, or as soon thereafter as they can get together, and they shall jointly proceed to select Jurors how selected. from the persons assessed on the assessment rolls, on file in the County Treasurer's office of each township and ward of the county for the preceding year, lists of grand and petit jurors

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for the Circuit Courts of the county of Wayne, in the manner provided by sections eight, nine, ten and eleven of chapter one hundred and eighty-nine of the Compiled Laws of eighteen hundred and seventy-one. Said lists shall be recorded at length in the journal of the Board, and shall be subscribed by the Commissioners, or a majority of them, and a duplicate thereof shall be filed in the office of the County Clerk, and be considered and treated by him as the lists mentioned in sections thirteen, fourteen and fifteen of said chapter one hundred and eighty-nine. Lists of.

SEC. 3. At each drawing of a jury it shall be the duty of the County Clerk, in addition to the notices he is now required by law to give, to also notify the President of said Board, or, in case of his absence from the county, some other member of said Board, and it shall be the duty of the President, or member so notified, and such other members of the Board as he may summon for that purpose, to attend and witness such drawing; and no jury shall be drawn unless at least one member of said Board attends and witnesses the same. County Clerk to notify.

SEC. 4. The Commissioners at their said meeting shall also make lists of petit jurors for each of the Municipal Courts of record of the city of Detroit. Said lists shall be taken from the assessment rolls of the wards of said city in the same manner as the lists are made up for the Circuit Court of said county, and duplicates thereof shall be filed with the Clerks of said Courts respectively. The said Municipal Courts and the clerks and officers thereof, in drawing jurors from said lists, and in all that pertains to jurors in said Courts, shall have the same powers and duties as those possessed by the Circuit Court of said county and the Clerk and officers thereof, and shall be subject to the same provisions of law as far as possible. Lists for City Courts. General powers

SEC. 5. In case the Commissioners fail to meet and make said lists at the time prescribed by this act, or in case any list of jurors shall become exhausted or be declared illegal before the year for which they were drawn has expired, it shall be competent for said Circuit Court or any of said Municipal Courts of record to direct said Commissioners to meet and make new lists of jurors for the balance of the year. Failure to make lists.

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Jurors excused

SEC. 6. It shall be competent for any of said Courts, in excusing any person summoned as a juror, who is not exempt from any jury service, to only excuse him temporarily, or for some portion of the term of court for which he was drawn, and to order a talesman drawn to take his place during the time for which he may be excused; but all talesmen shall be drawn from the jury lists as provided by law; and any Judge who shall select, or allow any Sheriff or Clerk, or other person to select any talesman, shall be deemed guilty of corrupt conduct in office, and be subject to impeachment therefor.

Talesmen.

Penalty for requesting appointment of juror.

SEC. 7. Any person who shall request said Commissioners, or any of them, to be selected and returned as a juror, or who shall request that any other person be so selected and returned, and any Commissioner who shall cause any person to be selected and returned, who shall have made any such request, or in whose behalf any such request shall have been made, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment in the county jail not more than one year, or by a fine not exceeding one thousand dollars, or by both such fine and imprisonment.

SEC. 8. Until lists of jurors shall be selected and returned as provided in this act, the jurors of said courts shall be selected, returned, drawn and empaneled as now provided by existing laws.

This act is ordered to take immediate effect.

Approved May 20, 1881.

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AN ACT

To amend section four of an act entitled "An act to authorize the City of Detroit to borrow money for the purpose of erecting a Central Public Market in said city, and to issue its bonds for the payment of the same," approved April 22, 1875. Central Market Building.

SECTION 1. *The People of the State of Michigan enact,* That section four of an act entitled "An act to authorize the City of Detroit to borrow money for the purpose of erecting a Central Public Market in said city, and to issue its bonds for the payment of the same," approved April twenty-second, eighteen hundred and seventy-five, be and the same is hereby amended so as to read as follows:

SEC. 4. The upper stories of said building shall be used by the Common Council for court rooms and offices for the city. Upper stories to be for offices, etc.

This act is ordered to take immediate effect.

Approved April 21, 1881.

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AN ACT

Unsound meat.

To amend act No. 351 of the laws of 1879, entitled "An act to prevent the sale of Unsound Meat or Provisions in the City of Detroit," approved April 19, 1879.

SECTION 1. *The People of the State of Michigan enact,* That sections one, two, three, five and eight of act number three hundred and fifty-one of the session laws of eighteen hundred and seventy-nine, entitled "An act to prevent the sale of unsound meat or provisions in the City of Detroit," approved April nineteenth, eighteen hundred and seventy-nine, be amended so as to read as follows:

Not to be sold or offered for sale.

SECTION 1. *The People of the State of Michigan enact,* That it shall be unlawful for any person to sell, offer for sale or expose for sale within the limits of the City of Detroit any diseased, bruised, decaying, emaciated, tainted or putried meat or provisions, or the meat of any calf less than four weeks old.

Not to be brought into or slaughtered in the city.

SEC. 2. It shall be unlawful for any person to bring, or slaughter, within the limits of the City of Detroit any animal which is maimed, bruised, afflicted with swellings, sores, or disease of any kind, or the meat of any such animal.

Penalty.

SEC. 3. Any person who shall violate any of the provisions of the preceding sections shall be punished by a fine not less than ten dollars or not to exceed one hundred dollars, or by imprisonment not to exceed three months, or by both such fine and imprisonment in the discretion of the Court.

Inspector to personally view animals and visit slaughter-houses, etc.

SEC. 5. It shall be the duty of said Inspector to personally view, so far as possible, all animals exposed for sale for human food in said city, to visit all slaughter-houses in said city and to inspect all animals held in them for slaughter, and the carcasses of all animals already slaughtered for human food, and to visit all places where meat for human food is kept or

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exposed for sale, and to inspect and ascertain the condition of said meat. The said Inspector shall have authority and it shall be his duty to condemn, seize and confiscate any meat or provisions sold, offered or exposed for sale in violation of the terms and requirements of this act. He may detail any Patrolman of said city to perform any or all of the duties enjoined on him by this act: *Provided* always, That said Inspector and any Policeman so detailed shall always be subject to the provisions of law establishing and governing the Metropolitan Police of said city.

Authority to condemn, etc.

May detail patrolman.

SEC. 8. Any person who shall refuse to permit the said Inspector or detailed Patrolman to perform his duty under this act, either by refusing entrance to his premises or by concealing any meat, animal or provisions, or by refusing to permit said animal, meat or provisions to be viewed and inspected as provided herein, or by in any manner hindering or resisting said Inspector or Patrolman in the performance of his duty, shall be guilty of a misdemeanor and punished therefor in the same manner as provided in section three.

Penalty for obstructing inspector.

Ordered to take immediate effect.

Approved June 7th, 1881.

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AN ACT

Belle Isle.

To amend section 1 of an act entitled "An act to authorize the City of Detroit to establish and regulate a Park," approved May 27, 1879.

SECTION 1. *The People of the State of Michigan enact,* That section 1 of an act entitled "An act to authorize the city of Detroit to establish and regulate a Park," approved May twenty-seven, eighteen hundred and seventy-nine, be and the same is hereby amended so as to read as follows:

Purchase authorized, etc.

SECTION 1. The Common Council of the city of Detroit shall have power to purchase the island in the Detroit river, known as Belle Isle, and to improve and use the same as a Public Park, and to erect thereon any buildings which the city is authorized to build and maintain; and in all respects to devote said island to such public and corporate purposes as the Council shall deem advisable. The said Council may convey any portion of said island, not exceeding two acres, to the United States for lighthouse or signal station purposes. The Board of Metropolitan Police of the city of Detroit shall have full police powers and jurisdiction over the island, the waters surrounding the same, and the bridge, if any, leading thereto, the same as though the island was within the corporate limits of the city.

Council may convey two acres to the United States

This act is ordered to take immediate effect.

Approved March 22, 1881.

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AN ACT

To repeal an act entitled "An act supplementary to the Charter of the City of Detroit, relating to a Public Park or other public grounds for the use of said city," approved April 15, 1871. Park Act.

SECTION 1. *The People of the State of Michigan enact,* That an act entitled "An act supplementary to the Charter of the City of Detroit, relating to a Public Park or other public grounds for the use of said city," approved April fifteenth, eighteen hundred and seventy-one, be and the same is hereby repealed. Repealing Act of 1871.

This act is ordered to take immediate effect.

Approved May 27, 1881.

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AN ACT

Relative to the Detroit and Howell Plank Road Company.

D. and H. Plank Road.

SECTION 1. *The People of the State of Michigan enact,* That the City of Detroit is authorized to purchase for the free use of the public, at a valuation to be agreed upon, all the rights of the Detroit and Howell Plank Road Company in any street of said City of Detroit.

City may purchase right of way—or condemn it.

SEC. 2. In case no satisfactory agreement can be made with the directors of said company for said purchase, then the said City of Detroit, by its proper officers, is authorized to condemn for public use all the rights of said Plank Road Company in any street of said city, in the same way in which the lands or property of individuals is condemned for the use of streets under the laws applicable thereto.

This act is ordered to take immediate effect.

Approved May 19, 1881.

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AN ACT

To authorize the City of Detroit to purchase or condemn for the use of the public all the rights of the Detroit and Saline Plank Road Company in any street in said city.

D. & S. Plank Road.

SECTION 1. *The People of the State of Michigan enact,* That the city of Detroit is authorized to purchase for the free use of the public, at a valuation to be agreed upon, all the rights of the Detroit and Saline Plank Road Company in any street of said city of Detroit.

City may purchase right of way or condemn it.

SEC. 2. In case no satisfactory agreement can be made with the directors of said company for said purchase, then the said city of Detroit, by its proper officers, is authorized and empowered to condemn for public use all the rights of said Plank Road Company in any street in said city, in the same way in which the land or property of individuals is condemned for the use of streets under the laws applicable thereto.

This act is ordered to take immediate effect.

Approved May 31, 1881.

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